

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

v.

JOSEPH THOMAS JR.

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CASE NO. 1:94-CR-00016-TH

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The court referred a petition alleging violations of supervised release conditions to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The court has received and considered the Report of the United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence.

At the close of the revocation hearing, U.S. Magistrate Judge Zack Hawthorn recommended:

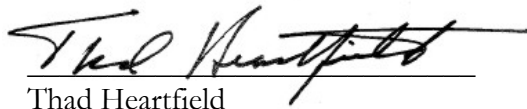
1. that the court find that the Defendant violated the second allegation in the petition that he failed to follow a mandatory condition of release;
2. that the Defendant's supervised release should be revoked pursuant to 18 U.S.C. § 3583; and
3. the Defendant should be sentenced to a term of 12 months' imprisonment, which shall run concurrently to his 16 month state jail sentence in cause number 16-23991 ordered by Judge West of the 252nd District Court of Jefferson County, with no supervised release to follow. The court designates the Texas Department of Criminal Justice as the place for incarceration in order to facilitate the concurrent nature of the sentences.

Neither party has filed objections to Judge Hawthorn's Report and Recommendation. Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED and **ADJUDGED** that the petition is **GRANTED** and Joseph Thomas Jr.'s supervised release is **REVOKED**.

Judgment and commitment will be entered separately, in accordance with the magistrate judge's recommendations.

SIGNED this the **25** day of **October, 2016**.


Thad Heartfield
United States District Judge